

1897-058

Lee Co.

Chancery Causes: W. C. Smith for & vs. A. B. Lewis &  
L. O. Lewis vs. M. G. Ely &

Kincaid, Weston, Orr, Smyth

CA-Debt / Contract Dispute

T-Property  
Women



\* Your orator alleges that at the time the debt was sought to be enforced as mentioned the lands against  
said Lewis were executed while A. B. Lewis was owner in his simple of said ~~that of~~ land  
but since said debt to same contractor the defendant A. B. Lewis has conveyed or attempted to convey  
to his wife L. C. Lewis voluntary without valuable consideration the land described in the original and  
which by the credit of a copy of said deed is for five hundred and thirty and a half acres, your orator  
alleges that said Lewis and his wife L. C. Lewis have since that time conveyed or attempted to convey  
the same land to some other person or persons and that the same land is now in the hands of some other person or persons  
and that the same land is now in the hands of some other person or persons and that the same land is now in the hands of some other person or persons

Virginia: -

To the Hon. H. S. K. Morrison Judge of the Circuit Court  
of Lee County: -

Humbly complaining, sheweth unto your honor your  
orator W. C. Smith who sues for the benefit of B. F. Kincaid  
that on the 4<sup>th</sup> day of March 1893, he obtained before  
C. C. Blankenship a justice of Lee County, a judgment against  
A. B. Lewis and L. C. Lewis of the said county for \$40<sup>00</sup> with  
interest thereon, at six percent per annum from the 1<sup>st</sup> day of  
January 1893 till paid, and \$315, Costs on which said judgment  
a writ of fieri facias was duly issued by the said justice, directed  
to W<sup>m</sup> Smallwood Constable of said county, returnable in sixty  
days, which was placed in the hands of the said Constable to be  
executed, and was on the return day thereof returned by the said  
Constable, with the following return endorsed thereon, to wit:  
"Judgment not executed No property found. This May 28<sup>th</sup> 1893, W.  
W. Smallwood C. L. C." <sup>judgment and execution herewith filed marked B.</sup> Now your orator further states, that  
the said A. B. Lewis and L. C. Lewis are seized and possessed  
of a tract of land lying and being in the said county, containing ~~107~~ <sup>107</sup> acres  
more or less and bounded by the lands of B. M. Morgan, E. J. Howard  
and others, and that he is advised that his judgment (no part of  
which has been paid) is a lien <sup>that there are other liens on said real estate</sup> under the Statute law of Virginia  
on the said real estate - That the rents and profits of the said real  
estate will <sup>not</sup> satisfy the said judgment in five years. In tender  
Consideration, whereof forasmuch as your orator is remediless in  
the premises, save by the aid of a court of equity, where matters of this  
kind are alone and properly cognizable, your orator prays that the said  
A. B. Lewis and L. C. Lewis, be made parties defendant to this bill and required to  
answer the same on their corporal oaths, according to the best of their knowledge  
and belief, as fully and particularly as if the statement of this bill were here again  
repeated, and the said defendant thereto <sup>that said voluntary deed be set aside</sup> specially interrogated, that the said  
real estate be <sup>sold</sup> ~~conveyed~~ to satisfy your orators judgment, and that your honor  
will grant all proper relief, May such issue and your will ever pray

M. C. Ely

P. D.



Plffs Costs  
 Hyatt C \$4.01  
 Munsey C 4.16  
 Shuff 1.00  
 atty 15.00  
 Comr 2.28  
 Estimated 5.00  
 \$31.37  
 15  
 2 10  
 \$48.37

870  
 46.37  
 2321.43  
 100.32

a 10 1/2

W. C. Smith for Plffs.

Ms. 33 Bill in Chancery

A. B. Lewis et al. Defts

1893 1<sup>st</sup> Aug. Rules Bill filed  
 " 3<sup>rd</sup> Aug. Exd + D. Vice  
 " 2<sup>nd</sup> Aug. Rules D. N. Conf  
 and cause set for hearing  
 by Plaintiff



Virginia,

In the Circuit Court of Lee County.

-----  
To the Hon. W. T. Miller, Judge of said court:-

-----Your oratrix, L. O. Lewis, a resident of said county, would respectfully represent and shew unto your honor, that she is the wife of A. B. Lewis, and the widow of Hiram Lewis, deceased; that ~~h~~ she was married to her said former husband in Harlan County, Kentucky, and after his death on the-----day of-----189-----, she was assigned her dower in his real estate and afterwards sold her said dower for <sup>the</sup> sum of One Thousand Dollars, (\$1000.00), and invested the same in a tract of land in said county of Lee, on which she now resides. After the death of her said husband in Kentucky, she married A. B. Lewis, who is her present husband, and after her said sale of her said interest in Kentucky, the said A. B. Lewis purchased with <sup>your</sup> oratrix's money, the said One Thousand Dollars, the said tract of land on which your oratrix now resides, as before stated, and had the deed therefor made to him without your oratrix's knowledge or consent. Your oratrix will further represent and shew unto your honor that afterwards, to-wit: on the---day of-----189---, one W. C. Smith for the benefit of B. F. Kincaid filed his bill in your Honor's Court in the nature of a lien creditor's bill, and an account of liens against said A. B. Lewis and your oratrix was taken by a Commissioner and reported and a decree rendered in said cause for a sale of said tract of land, and said sale made by William A. Orr, Sr., Commissioner, and confirmed by decree at the November term 1895, and a writ of possession awarded the purchaser. At said sale M. G. Ely became the purchaser of said entire tract at the sum of \$370.00, a sum more than sufficient to pay the ~~and~~ amount of liens reported by the Commissioner, although said Commissioner Orr was directed to only sell so much of said tract as would pay said liens, costs, etc. And at the time of the confirmation of said sale, a Commissioner was appointed to ascertain and report other liens ~~against~~ against said lands. All of which will more fully and at large appear by reference to said Chancery cause yet pending in your Honor's Court, which is now



which is here referred to as part hereof. The sale made by said Commissioner Orr was for a sum much below the value of said tract of land, and was for a sum more than sufficient to ~~pay~~ the amount of all liens finally reported against your oratrix and said A. B. Lewis. And the said Ely never complied with the terms of said sale by paying down the costs of said suit and commissions on sale, as will be seen by ~~reference~~ reference to Commissioner William A. Orr, <sup>d</sup> Sr., said report of sale, and the said report was improperly confirmed. Your oratrix will further represent and shew unto your Honor that there are other and ~~various~~ various reasons shown by the record and proceedings in said cause why said sale should not have been confirmed, and which would be here pointed out could the papers of said cause be found in the Clerk's ~~office~~ Office of your Honor's Court, but upon search they can not be found. Your oratrix did not defend said suit herself, nor except to said sale because she was informed by her said husband that he had employed counsel, C. T. Duncan, to defend the same, and she relied upon her husband to make all proper defence for himself and for her. The liens reported against said land are debts contracted by your oratrix's husband, except a very small one or two for which your oratrix became bound along with her said husband, and these she is able and willing to pay. Your oratrix has employed counsel to file her petition in said cause at the next term asking that she may be allowed to make defence and except to said sale, and be heard as to her rights in reference to said tract of land, but the said Ely has caused a writ of possession to be issued and ~~xx~~ the Deputy Sheriff has notified your oratrix to surrender possession of said land and premises by the 21st day of this month, October 1896, at which time he proposes to execute said writ and she has no place to go to; the said tract of land being all the real estate, or home she or her said husband have or own.

-----The prayer of your oratrix is that the said M. G. Ely, John M. Weston, Deputy Sheriff and all other persons, be enjoined and restrained from executing or further proceeding with said writ of possession, until the further order of the Court, and that she be given an oppor-



tunity to be heard in said suit of Smith, for, etc., and permitted to except to said report of sale and heard as to her claim to said land; and that if necessary this, her bill, be treated as a petition or cross bill in said cause, and that general relief in the premises be granted her. To this end she makes the said M. G. Ely and John M. Weston, Deputy Sheriff, the parties defendant to this bill and asks that they be required to answer the same, but not on oath, that being waived. That the injunction above prayed for be granted, and ~~at~~ on a final hearing the relief above prayed for be granted, and such other and further relief as she may be entitled to. May process issue, etc., directed, etc. And your oratrix will ever pray, etc.

Orn & Blankenship,  
For Plaintiff.

Virginia, Lee County, to-wit:

I, H. C. Forslyn, a Justice of the Peace,  
in and for the County and State aforesaid, do certify that L. O. Lewis  
this day personally appeared before me in my said county and made oath  
that the allegations in the foregoing bill are true, so far as stated  
upon her own knowledge, and all others stated upon the knowledge or  
information of others she believes to be true. Given under my hand  
this the 19th day of October 1896.

Henry C. Forslyn J.P.



J. O. & B.

L. O. Lewis

vs. } Bill.

M. G. Ely, et al.

Signatures granted to  
be effective till after the  
7<sup>th</sup> day of Nov 1896, after  
which date it shall  
stand dissolved, unless the  
peff shall proceed to have  
the same enlarged as pro-  
vided by stat. Acts 1845-46  
page 728-9 but this temporary  
signatures is not to be  
effective till the peff execute  
bond in the penalty of \$100 or  
conditioned as required by law  
Oct 19-1896 W. H. Miller  
Judge Circuit Court Lewis & Co



Virginia,

Circuit Court of Lee County.

-----W. C. Smith, for, etc., Plaintiff.

Against----- ( In Chancery.

-----A. B. & L. O. Lewis, Defendants.

-----  
To the Honorable W. T. Miller, Judge of said Court:-

-----Your ~~xxx~~ petitioner, L. O. Lewis would respectfully represent and shew unto your Honor that at the First August Rules 1893, of your Honor's Court, one W. C. Smith for the benefit of B. F. Kincaid filed his bill, as your petitioner has been informed, in your Honor's Court against your petitioner and her husband, A. B. Lewis to enforce a judgement lien against them and against the tract of land in said bill mentioned, ~~xxxxxx~~ various proceedings and decreess were had and taken in said cause until at the June term 1895, a decree for the sale of said land was rendered and the same was afterwards sold by William A. Orr, Sr., Commissioner, and said sale confirmed, and a writ of possession awarded M. G. Ely, the purchaser, and said Ely having taken out said writ and the Deputy Sheriff being about to execute the same your petitioner on the 19th day of October 1896, obtained from your honor in vacation an injunction restraining said Ely and said Officer from executing said writ until after the 7th day of November 1896.

Now, your petitioner will further represent and shew unto your honor that the object of this petition is to have the matters and things adjudicated in said cause reheard and said sale set aside and she permitted to answer in said cause and make her defense therein. The reason why she did not answer in said cause is because she confidentially relied on her said husband to make his and her defense therein, and was informed by him that he had employed C. T. Duncan as counsel for that purpose. Your petitioner will now point out the following ~~xxxx~~ errors and irregularities apparent upon the face of the record in said cause as grounds upon which she thinks said sale and the proceedings in the cause should be set aside and re-heard, to-wit: The bill is simply a bill to enforce a judgement lien and is not a lien creditor's



(2)

bill though treated as such. The decree at November term 1893, is to rent the land when no account of liens had been taken, although the bill alleges that are other liens on said real estate, and the ~~Commissioner~~ Commissioner, M. G. Ely, appointed by said decree to rent never has reported ~~thereunder~~ thereunder nor has he ever been relieved from acting <sup>under</sup> ~~in~~ said decree. At March term 1895, a decree was entered appointing William A. Orr, Sr., a Commissioner, to ascertain and report the liens but this decree and no subsequent one set aside the former decree to rent. Commissioner Orr files a report of liens ~~May~~ May 15, 1895, and reports that the land would not rent for enough in five years to pay ~~the~~ the liens, but your petitioner and the said A. B. Lewis had no notice of his sittings. ( See notice filed with his report). And the depositions filed with his said report ~~are~~ are not sworn to. At June term 1895, the said report of Commissioner Orr was confirmed and a decree rendered in favor of the lienors, some against petitioner, some against A. B. Lewis and some against both, and setting aside the deed of A. B. Lewis to your petitioner and appointing William A. Orr, Sr., to sell the land to pay said liens. This decree was erroneous, for if the land was A. B. Lewis' s it should not have been sold to pay your petitioner's debts, and if it belonged to your petitioner it should not have been sold to pay his debts. Commissioner Orr filed his report of sale Sept. 17th 1895, but it is defective, it does not show that he complied with the decree and does not show the time, nor place nor terms of sale, and does not show that he advertised as directed and no notice or copy of the advertisement if any is returned with his report, and there is no certificate of the Clerk that bond was executed by the Commissioner as required by the decree and pursuant to the statute; and said report shows that the Commissioner sold the entire tract for \$370.00, a sum more than enough to pay the liens and not a sufficiency only of said tract as he was directed, and that the purchaser did not comply with the terms of the decree by <sup>failing</sup> paying down the costs of suit and expense of sale. This pretended sale was confirmed by decree Nov. 12, 1895, that is the report, ( but not the sale ), and the Commissioner was directed to disburse the costs when he had none to dis-



(3)

burse, and a writ of possession awarded the purchaser, and H. C. Joslyn was appointed a Commissioner to ascertain and report other liens. This was error, the liens should have all been ascertained before a sale was decreed. See Barton's Chancery Practice, Page 1087, and 23rd Gratton Page 835. Commissioner Joslyn files a report February/8, 1896, and a list of two liens, but does not show who the liens are against, and no legal notice of his sittings were given the defendants. A decree March 3, 1896, confirms Joslyn's report and decrees in favor of the ~~the~~ lienors against the defendants when the report does not show who the judgments were against and this decree continues the cause without providing from what source these~~y~~ liens were to be paid.

Now, your petitioner will further represent and shew unto your ~~honor~~ honor that the tract of land in the bill mentioned and sold as aforesaid was purchased by her present husband, the said A. B. Lewis, with her money and at the price of ~~\$1000.00~~ \$1000.00, it ~~ex~~ being the money derived by her from the sale of her interest in the real estate of her former husband in Harlan County, Kentucky, and the deed for said ~~in~~ land was taken by the said A. B. Lewis to himself without her knowledge or consent, and she is advised that he holds the legal title there to if he holds it all in trust for her benefit. To remedy this wrong upon her rights her said husband on the 2nd day of September 1889, conveyed to her and her children the said tract of land, and this is the deed that has been set aside and declared null and void by decree in this cause, but this deed was not made as it should have been, it should have been made to your petitioner alone. These facts in regard to the purchase of said tract of land with your petitioner's money, etc she can abundantly prove. And as to all debts contracted and owing by her she can pay them and is willing to pay them, and hopes to do so without sacrificing her little home.

The prayer therefore of your petitioner is that said cause be reheard and said sale set aside and annulled and that your petitioner be granted leave to file her answer and cross bill in said cause, and to make a proper defense therein and set up her claim to said land. And that your honor grant her all such other further and general relief as the nature of her case may require. And your petitioner will ever  
Pray, &c.  
Orr. & Blankenship, p. 9.



Virginia, Lee County, to wit:—

I A. B. Munsey Clerk of the Circuit Court of said  
County do certify that L. O. Lewis this day personally  
appeared before me and made oath that the facts  
stated in the within petition are true so far as they  
depend on her own knowledge and so far as they  
depend on information derived from others she  
believes them to be true. Given under my hand  
this November 7th 1896. A B Munsey Clerk

L. O. Lewis.

additions

W. C. Smith for &c.

[illegible]



L. O. Lewis Plff- In the Circuit Court of Lee Co. Va.  
vs. ~~E. E.~~ In Chancery ~~vs.~~ To the Hon. W. T. Miller  
M. G. Ely et al. Dfts. Judge of said Court  
The demurrer and answer of M. G. Ely one of the  
defendants to the bill of complaint exhibited against  
him and others in <sup>the</sup> Circuit Court of Lee County Va  
by L. O. Lewis Complainant, For demurrer to said bill  
says that said bill is not sufficient in law - and of this  
he prays judgment of the Court, And now and at all times  
hereafter, saving and reserving unto himself all benefit and  
advantage of exception which can or may be had or taken  
to the many errors, uncertainties and other imperfections  
in the said Complainant's said bill of complaint contained  
for answer thereto, or unto so much and such parts thereof  
as this defendant is advised is material or necessary  
for him to make answer unto, this defendant, answering  
saith, that he supposes that it is true that L. O. Lewis is  
the wife of A. B. Lewis, but he denies that she was ever  
assigned any dower in the lands of Hiram Lewis Dec, and he  
denies that she sold that dower for \$1000, and invested  
the same in lands in Virginia, Yarn respondent denies  
that A. B. Lewis purchased the land on which Complainant  
now lives with her money and had the same deduced to  
himself without her knowledge or consent, but on the  
contrary Yarn respondent alleges that it was with the  
knowledge and consent of complainant, and that matter  
went thus nicely until Complainant's husband A. B.  
Lewis became involved in debt, when he made to the



Complainant a voluntary and fraudulent deed to the said land in consideration of the sum of \$500 and in which he undertook to prevent or prohibit the said tract of land from being sold either for his or her debts until the youngest child was 21 years <sup>old</sup>, which your respondent alleges was done to cheat and defraud both their creditors, a copy of said deed is filed with the bill in the chancery cause of Wm C. Smith for the vs. A. B. Ed L. C. Lewis and is here referred to and made part of this answer — Your respondent admits that Wm C. Smith for the benefit of B. F. Kincaid filed a bill in your honor's court in the nature of a lien creditors bill and to set aside the aforesaid fraudulent deed referred to, and that process was properly executed on both the defendants in that suit, A. B. Ed L. C. Lewis that an account of liens was taken and reported and a decree rendered in said cause to sell the said land — and a sale was made by Wm A. Orr, Commissioner, and your respondent became the purchaser at the sum of \$370. that said sale was confirmed by a decree of your honor's court Nov. 1895, one year ago, all of which proceedings, to your respondent's own knowledge, the complainant L. C. Lewis had full and complete notice. Your respondent denies that said land brought a sum more than sufficient to pay all the liens against said land, The liens against said land and costs of suit, Your honor will see from said cause amount to the sum of \$388 <sup>90</sup>, the sale of said land lacking \$18 <sup>90</sup> of



paying the judgment liens against the same,  
your respondent would now show your honor that  
of the amount of his bid as purchaser to wit \$370,  
he has in effect paid the sum of \$277<sup>12</sup> as follows  
Judgment in my favor \$64<sup>10</sup>, H. C. Joslyn con. \$25<sup>00</sup> Judgment  
lien in favor of D. A. Beam vs. L. O. Lewis et al. I have  
recently paid to Mr. Ed Blankenship atty for Beam, since that  
time they seem to be on the other side of the case, since  
the filing of complainant's bill I have paid to Mr.  
Blankenship atty \$15<sup>00</sup> of the judgment due officers of the court  
in favor of C. C. Hagemeyer & co, Judgment in favor of Sol.  
Forster for my benefit \$53<sup>32</sup> Judgment in favor of Morgan  
and Armstrong which has been assigned to me, \$81<sup>57</sup>  
Paid costs of suit \$38<sup>65</sup>, making in all \$277<sup>12</sup> leaving your  
respondent due on his bid \$92<sup>88</sup>, your respondent denies  
that the sale made by commissioner Mr. was for a sum  
much below the value of said tract of land, and was for  
a sum more than sufficient to pay the amount of all  
liens finally reported against complainants and A. B. Lewis  
see commissioner's report of sale, and amount of liens  
in said cause, all of which is made a part of this  
answer. Your respondent denies that he never  
complied with the terms of sale - as to the costs of  
suit - he did not pay all on day of sale, but assumed to pay  
it - to the officers entitled thereto, and executed his two bonds  
with approved security for the deferred payments  
on the day of sale which are with said chancery cause



above referred to and considered himself bound for the costs  
still due, some of which he has paid since complainant's bill was  
filed, so has \$15<sup>00</sup> been paid to G. W. Blawie's atty for H. Co -  
since complainant's bill was filed, Your respondent  
denies that said sale was improperly confirmed, but  
alleges that his bid was accepted by the court and  
properly confirmed and that if he had refused to  
comply with his bid the court would have compelled  
him to do so, Your respondent denies that there are  
any reasons shown by the record in said cause  
why said sale should not have been confirmed or  
that any can be pointed out, as to the papers of said cause  
not being found in the clerk's office, Your respondent  
replies by saying that they should have prepared their  
bill of Complaint when they had the papers in their  
office collecting from Your respondent the judgment  
in favor of D. A. Bean vs. L. C. Lewis, the papers of in said cause  
were in the law office of Mr. Ed Blawie at that time  
and had been for some month previous thereto, Your  
respondent denies that the liens reported against said  
land are debts contracted by A. B. Lewis except a very  
small one or two which she is able and willing to pay  
but on the contrary Your respondent would state  
that the judgments against A. B. & L. C. Lewis jointly  
amount to \$232<sup>13</sup> and against L. C. Lewis  
individually \$219<sup>08</sup> and against A. B. Lewis



individually \$134<sup>89</sup> all of which will be seen by  
an inspection of said Chancery Cause of Wm. C. Smith  
for etc. vs. A. B. & L. O. Lewis - Your respondent denies  
that said Complainant has any right to file a petition  
in said Cause at this late day, or well come to except  
to said sale after the same has been confirmed. So long  
and your respondent's rights accrued, Your respondent's  
rights to the said lands have been acknowledged by  
the said Complainant, and your respondent has had  
possession of most of said land for the past crop  
year, and made valuable improvements on some of it -  
and rented a considerable amount of it for the next year -  
Your respondent alleges that Complainant came to him  
when he first purchased the land and asked him to permit  
her to remain in the dwelling house and tend a piece of  
ground for this year 1846 - which permission Your respondent  
gave. Your <sup>respondent</sup> denies that Complainant <sup>was</sup> prevented  
from defending said suit or excepting to the sale  
because her husband had informed her that he  
had employed counsel C. T. Driscoll, but alleges  
again that she had full notice of all the proceedings  
had and done, which she virtually admits when she  
says that she relied on her husband, to make all  
proper defenses for her and him. Your respondent  
denies that there is any equity in said Complainant's  
bill which entitle her to the granting of any  
injunction that the whole object of the Complainant's  
bill is to harass and involve Your respondent in



in vexatious and unjust litigation, He denies the right of Complainant to have said bill treated as a petition or cross bill in said cause. Your respondent alleges and charges that the lands sold were the lands of A. B. Lewis, and that the title to the same stands upon the records books of the County Court of Lee County as his - that said lands were first deeded to him by W. H. Bundy, that he afterwards fraudulently deeded them to L. C. Lewis, that when that deed was set aside by a decree of your honorable court, said A. B. Lewis filed in the County Court clerk's office <sup>of this county</sup> his homestead deed claiming said land as his and trying to defeat his debts by that scheme which was acquiesced in by his wife the Complainant, and finding his homestead deed, no good, he has absconded the country and gone to parts unknown.

Your respondent asks that said injunction be dissolved, that said Complainant's bill be dismissed with costs and damages to Your respondent, and he will ever pay - etc

M. Y. Ely

J. A. B. Mursey Clerk of the Circuit Court of Lee County do certify that M. Y. Ely personally appeared before me and made oath that the statements made in the foregoing answer are true. This noon  
7th 1896 - A. B. Mursey Clerk



M. G. Ely et al -  
advs & answers of  
M. G. Ely -  
L. O. Lewis -

Filed in open Court  
and by leave thereof  
November 7th 1896  
A. B. Munsey clk



W. C. Smith for ete. Deft.

against.

De Chamery -

A. B. Ed L. Q. Lewis Defts.

This cause came in this day to be heard upon the papers formerly read in the cause, and the report of Commissioner W. A. Orr sr - and deed filed therewith, and was argued by counsel. On consideration of which, it appearing to the court, <sup>from said report</sup> that the entire purchase had been paid, it is therefore adjudged, ordered and decreed that said report be approved, and confirmed, and that W. A. Orr Sr, be and is hereby appointed to execute to M. G. G. a deed to said land purchased <sup>here</sup> by in this cause, and said deed being already executed and filed the same is approved and confirmed And said M. G. G. is granted leave to withdraw said deed for the purposes of recitation and nothing further remaining to be done this cause is stricken from the docket -



W. C. Smith for the  
no. 6 of Secretariat  
A. B. Ed. L. O. Lewis

Eu. C. O. B. No. 6 p 39.

Enter this

M. J. M.

Nov. 4th 1897 -



L. O. Lewis Plff.  
vs. E. L. Chaney  
M. Y. Ely et al.

This cause came on this day to be heard upon the bill of complainant and answer of M. Y. Ely defendant and was argued by counsel.

On consideration of which the Court <sup>said in fact finding of fact</sup> doth adjudge, order and decree that Complainant's bill be dismissed and that M. Y. Ely recover of L. O. Lewis his costs in this behalf expended, to be taxed by the clerk for which execution may issue and the cause is stricken from the docket,



L. C. Lurio  
vs E. E. Deere & Fernal  
M. G. Ely et al  
Entered in Chy. O. B.  
No. 4 for 479.

Enter this

W. F. M.

Nov 9th 1896 -



Wm C. Smith for etc Plff  
vs ~~etc~~ D. H. Chancey  
A. B. & L. Q. Lewis deft

This cause came on this day to be heard upon the papers formerly read in the cause and the report of Special Commissioner H. C. Joslyn and was argued by counsel. On consideration of which the said report having been filed the time required by law and being unexcepted to, it is therefore ordered and decreed that said report be approved and confirmed. And that D. H. Chancey recover of the defendants the sum of ~~\$5309~~ \$67<sup>75</sup> with interest on \$5309 part thereof from March 12<sup>th</sup>, 1896 till paid, And that M. H. Ely recover of the defendants the sum of \$64<sup>10</sup> with interest on \$50. ~~with interest~~ part thereof from March 12<sup>th</sup>, 1896 till paid - And the cause is continued



Wm C. Smith for the  
vs ~~EE~~ Deere  
C. H. Ed L. C. Lewis

O. B. P. 319

Enter This

M. L. M.

March 2nd - 1896 -



W<sup>m</sup> C. Smith for etc Off

vs.

J. Deere

A. B. Ed L. O. Lewis depts.

This cause came on this day to be heard upon the papers formerly read in this cause and the report of sale by Commissioner W. A. Orr, And was argued by counsel, On consideration of which, and it appearing that said report has been filed the time required by law and is excepted to, It is therefore ordered and decreed that said report of sale be approved and confirmed, It is further directed that the commissioner disburse the costs in his hands to the parties entitled thereto, and proceed to collect the purchase money bonds as they become due, And it is <sup>ordered and decreed</sup> further that a writ of possession may be awarded to the purchaser W. A. Ed for the lands purchased by him in the bill and proceedings described, And it being suggested at bar that there are other liens against said lands, not heretofore reported, it is therefore ordered and decreed that H. C. Joslyn be appointed a commissioner to ascertain what further liens exist against the said land not heretofore reported, he will give all parties in interest due notice of the time and place of his sitting and report his action to the next term of this court and the cause is continued.



Wm. C. Smith for the

no. { { Deane

A. B. Ed L. O. Lewis

Q. B. P. 270

Enter this

W. F. M.

Nov. 15<sup>th</sup> 1895



W.C. Smith for etc.  
vs.  
A.B. & L.Q. Lewis } } Deere in Chg

This cause came on this day to be heard upon the papers formally  
read in the cause and ~~among~~ the commissioners report  
of W.A. Orr, and was argued by counsel. On consideration  
of which, it appearing to the court that said report has  
been filed the time required by law, and is not excepted to,  
the court doth approve and confirm the said report  
and doth adjudge order and decree, that Morgan Ed Armstrong  
recover of defendants the sum of \$81<sup>57</sup>, and that D.A.  
Beam recover of defendant L.Q. Lewis the sum of \$21<sup>98</sup>  
and that C.C. Hagemeyer & co. recover <sup>of the defendants</sup> the sum of \$35<sup>80</sup>  
and that Solomon Foushite for the benefit of M.G. Ely,  
<sup>of the defendant A.B. Lewis</sup> recover the sum of \$53<sup>32</sup>, and that plaintiff recover of  
defendants the costs of this suit, And it appearing to the  
court that the deed filed in this cause from A.B. Lewis to  
L.Q. Lewis is voluntary and without valuable consideration  
It is ordered and decreed that said deed be set aside and  
held for naught, And it is further adjudged, ordered and  
decree that unto the aforesaid judgments are paid  
within 30 days from the rising of this court, then  
W.A. Orr Sr. who is hereby appointed a special commissioner  
for the purpose, do advertise and sell to the highest bidder  
the lands in the bill and proceedings mentioned, or a  
sufficiency thereof, to pay the aforesaid debts, said sale shall  
be in front of the court house of Lee County on a credit  
of 1 & 2 yrs. except as to costs and commissions which  
will be required to be paid down, said deferred payments  
shall be secured by bond and security, after having  
first duly advertised the terms, time and place of



sell for at least 30 days, by written notice posted  
in the vicinity of said land, and upon the front door  
of the Court house of Lee County, but before said  
Commissioner proceeds to sell the said land, he will  
execute bond before the clerk of this court, <sup>in the sum of \$300,</sup> conditional  
according to law, and report his action to the next term  
of this court and the cause is continued,

V. C. Smith forester

22 Dec 1891

J. B. Lewis & Co.

57

Entered in  
Order Chancery  
Book Page 204  
Enter this

128

Jan. 7th, 1895



Virginia:-

At a ~~court~~ circuit court continued and held  
for Lee county at the Court house thereof on  
Wednesday March 6<sup>th</sup>. 1895.

W. C. Smith for et c Plaintiff,

vs.

A. B. Ed L. A. Lewis Defendant,

This cause came on this day to be heard again  
upon the papers formerly read in the cause  
and was argued by counsel. On consideration of  
which and it being suggested that this is  
a proper case to be referred to a Commissioner  
to take an account, it is therefore ordered and  
decreed that W. A. Orr, be appointed a special  
Commissioner to ascertain the liens against the  
lands in the bill mentioned, their priorities  
to whom due and whether or not the said  
lands will rent for enough in five yrs.  
to pay the said liens, he will report his action  
to the next term of this court and the cause  
is continued.

A Copy Teste

A B Munsey Clerk

Fee 25-



W. C. Smith for etc

us  $\frac{1}{2}$  Deer.

A. B. Ed L. C. Lewis et al

No 2.

Enter this

W. J. M -

March 6th 1890



Wm C. Smith for the Plff.

V. B. & L. C. Lewis for Rental.

A. B. & L. C. Lewis Defts.

This cause came on this day to be heard on the bill taken for confessed as to the defendants A. B. & L. C. Lewis on whom process had been duly served. They still failing to appear and plead, answer and demur to the said bill, And was argued by counsel.

On consideration whereof The Court doth adjudge, order and decree that the plaintiff recover of the defendants the sum of \$48<sup>00</sup> with int. thereon from 1<sup>st</sup> day of Jan<sup>ry</sup> 1893 till paid and \$3<sup>00</sup> costs. And it is further adjudged ordered and decreed that unless the said defendants or some one for them pay to the plaintiff the aforesaid sums within ten days from the rising of this Court that M. G. Ely who is appointed a special commissioner for the purpose, at the front door of the Court house on some court day, after having duly advertised the same for at least 30 days, by posting written notices on the front door of the Court House and in the vicinity of said land, shall proceed to rent to the highest bidder the land in the bill mentioned, or so much as is necessary to satisfy said claim, costs of suit and sale shall be paid down and balance in one or two years evidenced by bond of purchaser with approved security - made payable to Court, but before rental Commissioner will execute bond in penalty of \$100, pursuant to law and report to Court and the cause is continued,



W. C. Smith for etc. 1894

VB. 33 Deane to rent.

A. B. & L. O. Lewis Defto

Entered chancery 073  
5-14 Nov. 1893

201.

Enter this.

Nov. 18th 1893.  
H. S. K. M.



Virginia

At a circuit court continued and held for Lee County at the Court-house thereof on Tuesday Nov 12<sup>th</sup> 1898;

W. C. Smith for &c. Plff

vs

A. B. & L. O. Lewis

Defts

} In Chancery

This Cause came on this day to be heard upon the papers formerly read in this Cause, and the report of Sale by Commissioner W. A. Orr and was argued by Counsel, On Consideration of which, and it appearing that <sup>said</sup> report has been filed the time required by law, and is unexcepted to. It is therefore ordered and decreed that said report of Sale be approved and confirmed; It is further directed that said Commissioner disburse the costs in his hands to the parties entitled thereto and proceed to collect the purchase money bonds as they become due, and it is further ordered and decreed that a writ of possession may be awarded to the purchaser M. G. Ely for the lands purchased by him in the bill and proceedings described, and it being suggested at



bar that there liens against the said  
lands not heretofore reported, it is  
therefore ordered and decreed that H. C.  
Joslyn be appointed a Commissioner to  
ascertain what further liens exist  
against the said land not heretofore  
reported, he will give all parties in  
interest due notice of the time and  
place of his sitting, and report his  
action to the next term of this Court  
and the Cause is continued,

A Copy Teste

A. B. Munsey Clerk

W. C. Smith for  
Copy of Decree  
A. B. L. O. Lewis

Quoted Dec 11-1896  
by delivering a  
Copy of the within  
Decree to H. C. Joslyn  
J. M. Weston D. S. for  
W. O. Weston D. S. C.

Copy for  
H. C. Joslyn  
C. C.



Virginia: In the circuit Court of Lee County.

L. O. Lewis

vs } Affidavit - for Injunction.  
M. H. Ely et al.

I, James W. Orr, a Commissioner in  
Chancery for the circuit Court of Lee County,  
Va, do hereby certify that Wm A. Orr, Sr.,  
appeared before me in my County and  
made oath that he was appointed a Special  
Commissioner by a decree of your Honor's  
Court to sell some land described in  
the Chancery Cause of W. C. Smyth for &c.  
vs A. B. & L. O. Lewis now pending in  
said Court, and that he sold said land  
to M. H. Ely who did not pay to him  
all the costs as was required by the  
decree, which fact was reported  
by your <sup>said</sup> Commissioner.

Given under my hand this October  
17th, 1896.

James W. Orr, Comr  
in Chancery, for Lee County Circuit  
Court.



L.O. Lewis  
vs. } Affidavit of  
Wm. A. Orr, Sr.

M. G. Tely, et al.

---



VIRGINIA--Lee County, to-wit:

To W. C. Smith, Constable of Said County:

I HEREBY COMMAND YOU TO SUMMON A. B. Lewis, if to be found in your District, to appear at B. B. Blankenship's, in said County, on the 12<sup>th</sup> day of April 1895, before me or such other Justice of said County as may then be there, to try this Warrant, to answer the complaint of Solomon Forester for the benefit of M. G. Eley and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: for the sum of \$40<sup>00</sup>, due by note. And then and there make return of this Warrant.

Given under my hand the 5<sup>th</sup> day of April 1895.

B. B. Blankenship, J. P.

Solomon Forester for the benefit of M. G. Eley  
Against

On the 12 day of April, 1895

In Debt.

A. B. Lewis

At B. B. Blankenship's office, in said County.

JUDGMENT, That the Plaintiff recover of the Defendant, \$40.00, with interest thereon from the 14 day of April, 1890, till paid, and \$1.00 for costs.

B. B. Blankenship, J. P.

VIRGINIA, Lee County, to-wit:

To W. C. Smith, Constable of Said County:

I COMMAND YOU, in the name of the Commonwealth of Virginia, That of the goods and chattles of A. B. Lewis, in your County, you cause to be made the sum of \$40.00 with interest thereon from the 14 day of

April 1890, till paid, which Solomon Forester for the benefit of M. G. Eley has recovered before me

in a Warrant in Debt, and also the sum of \$1.00, which were adjudged to said S. Forester for the benefit of M. G. Eley for costs in prosecuting said Warrant. GIVEN under my hand This 12

day of April, 1895 B. B. Blankenship J. P.



Solomon Forester for

res { Warrant  
      \$40.00

A. B. Lewis

Note enclosed.

Executed April 5th by delivering a  
true copy of within warrant to  
J. A. Lewis the wife of A. B. Lewis  
for being over the age of 16 yrs. and  
found at A. B. Lewis usual place  
of abode said A. B. Lewis not being  
found there at his usual place of  
residence. W. C. Smith  
C. J. C.

No property found

This April 25th 1895

W. C. Smith  
C. J. C.



To B. F. Kincaid, assignee of W. C. Smyth,  
A. B. Lewis and L. O. Lewis:

You will take notice that I  
will take an account and perform  
the duties required of me by a decree  
rendered at the last term of the Circuit  
of Lin County, Va, in the Chancery  
Cause of W. C. Smyth for & against  
A. B. Lewis and L. O. Lewis. I  
will begin my sittings at my  
Office in Jonesville, Va, on the  
4th day of May, 1895, and will  
adjourn from time to time and  
from place to place till I have  
completed the requirements of said  
decree. This Apr 15th 1895.

Wm A. Orr,

Special Commissioner



W. C. Smythe for &c  
vs } Lewis' notice

A. B. T. L. O. Lewis

May 4<sup>th</sup> 1895.

I accept Legal service  
of the within notice for  
B. F. Kincaid assigned to  
C. Smith, this May 3-1895

M. G. Ely  
Jatly



W. C. Smith for & c

vs

A. B. & L. O. Lewis

} In Chy in the Circuit Court  
of Lee County, Va

The Depositions of M. G. Ely and  
others taken at the office of Wm A. Orr,  
Special Commissioners, on the 4<sup>th</sup> day of  
May, 1895, which depositions when taken  
are intended to be read as evidence by  
said Special Commissioners, in the Chy  
Cause of W. C. Smith for & c against  
A. B. Lewis and L. O. Lewis now  
pending in the Circuit Court of Lee County  
Va.

M. G. Ely a witness of lawful age  
being first duly sworn deposes and says:  
I am acquainted with the lands owned by defendants  
in this suit, It lies on the Chestnut ridge about 9 miles  
west of Joursville in Lee County and is said to contain  
107½ acres, The rental value of said land, in my opinion  
would be only about \$25. or \$30. per year, if it  
would rent at all. As attorney for B. H. Kincaid,  
A. B. Lewis and L. O. Lewis have made to me the following  
payments on the judgment of W. C. Smith for & c vs.  
defendants, \$16.98 paid about June 1<sup>st</sup> 1894, and  
\$16.98 paid Nov. 2<sup>nd</sup> 1894,

And further this deponent saith not.

M. G. Ely



W. L. Smyth & c

vs } Depositions

A. B. & L. O. Lewis



W. L. Smyth for &c

vs

J. L. Chy, cir. Ct Lee Co., Va.

A. B. and L. O. Lewis

Statement of Liens against the real estate of  
A. B. Lewis and L. O. Lewis and their amounts  
as of June 3rd, 1895.

(Both) (1) To balance of Judgment in favor of Morgan & Armstrong \$ 81.57

(A. B.) (2) To bal of Judgt in favor of W. L. Smyth for &c. 13.37<sup>70</sup>

(John L.) (3) To bal. of Judgt in favor of D. A. Beam 21.98

(Both) (4) L. L. Hegemeyer & Co, bal of Judgt for costs 35.80

(A. B.) (5) Solomon Forester, Judgt's 53.32

Estimated Costs of this Suit 45.00  
\$251.37

To the Hon. W. T. Miller, Judge of the Circuit Court of  
Lee County, Virginia:

Your undersigned Special Com-  
missioner begs leave to report that he has on  
this day discharged the duties required of him  
by your honor's decree in the above styled  
cause, entered therein at the last term of the  
said Court; that the notice of the time and place  
of his sitting is hereto attached; that the liens  
against the land of the defendants, and their  
amounts are stated above, <sup>and the persons to whom due</sup> and that their total  
together with the estimated costs of this suit  
is \$251.37 as of the 3rd day of June, 1895.

25.50  
10.40  
14.70



1 These liens are numbered from 1 to 5 in the order  
2 of their priority. As will be seen from deposition  
3 here filed the rental value of the land is not suffi-  
4 cient to pay the liens within five years. The land  
5 consists of about  $107\frac{1}{2}$  acres and lies on the  
6 Chestnut ridge about 7 miles west of Jourdville.  
7 It appears from a deed on file in the cause  
8 that A. B. Lewis made a voluntary conveyance  
9 of this land to his wife L. O. Lewis after the  
10 debts herein named were contracted. Your  
11 Commissionnaire is of opinion that this deed of  
12 gift was made by A. B. Lewis for the pur-  
13 pose of delaying his creditors in the col-  
14 lection of their debts.

15 Respectfully Submitted,

16 Wm A. Orr.

17 Special Commissioner

18 May 4<sup>th</sup> 1895



W. L. Smyth for &c.

vs } Leon's Report-

A. B. and L. O. Lewis

Filed May the 15<sup>th</sup> 1896-  
A. B. Munsey  
Clerk

Leon's Wm A. Orr's for \$2.25-



Virginia: In the circuit court of Lee County.

W. C. Smith for &c.

against

J. D. Chy

A. B. Lewis et al vs Depts

To the Hon. W. J. Miller, Judge of said Court:

Your Special Commissioner, Wm A. Orr, appointed to sell the land in the bill and pleadings therein ~~named and described~~, and pursuant to a decree of your Honor, rendered on the 7<sup>th</sup> day of June, 1895, your Commissioner complied with the terms of said decree, and he sold said land to M. G. Ely for the sum of \$370<sup>00</sup>.

Your Commissioner took the notes of the purchaser, and his father A. C. Ely as his security, and ~~and~~ your Commissioner deems these bonds good; these bonds do not include the costs and commission of sale. The attorney's fee of \$15<sup>00</sup> belongs to the

purchaser; the Commission of \$16<sup>40</sup> and ~~and~~ <sup>for taking account</sup> \$2<sup>25</sup> belong to your Commissioner, and he

has charged the ~~the~~ same to M. G. Ely, the purchaser. <sup>No other costs have been paid</sup> The amount of \$230<sup>00</sup>, or

thereabouts belongs to the purchaser, M. G. Ely, and your Court recommends a confirmation of the sale made by him, as he does not think that the property will bring so much money on a re-sale. He also recommends that

Your Honor confirm the sale made by your Court in vacation (See Sec. 3424



and Amendments thereto "Acts 1893-4.  
p. 233.

Respectfully Submitted  
Wm A. Orr  
Special Commissioner.



W. C. Smith for &c

28 } Report of Sale,

A. B. Lewis at-also

Filed September 17th 1898-  
A B Munsey SDC

This sale is reported to  
Beane, at the same  
miscellaneous has sold the  
whole tract of land when the  
deed is only directed him  
to sell enough to pay the debt  
mentioned for the deed  
& costs of suit. These debts  
were as follows

Morgan & Armstrong	\$81.57
But Beane	2198
B. C. Hagerty on 160	3580
Sol. Perimeter for 16	53.32
Costs of Suit properly	19267
tax id. including interest	2137
Sum on 1600	21394
at the same	1069
Sold the entire	\$ 224.63
for at - at	370.00
Excess -	145.37
(See over)	



W. C. Smith Jr & c Plff. } In Chancery  
vs.  
A. B. & L. O. Lewis Defts

To Hon W. T. Miller Judge of  
The Circuit Court for Lee County  
Virginia.

Having been appointed a Commissioner  
by your honor's order dated the  
12<sup>th</sup> day of November 1895, for  
the purpose of ascertaining what  
further liens exist against the  
above named defendants. I have  
the honor to report that after  
giving all parties due notice of  
time and place of my sitting. I  
on the 12<sup>th</sup> day of Feby 1896. and  
on the 17<sup>th</sup> day of Feby 1896, proceeded  
to execute the decree as required by  
the above mentioned order, and  
find two additional liens as  
shown by Statement filed with  
this report. No 1. is in favor of  
P. F. Chance amounting Principal  
interest & Costs to \$67.25 as of March  
1<sup>st</sup> 1896. No. 2. is a Judgment  
in favor of M. G. Galy. amounting  
Principal. interest and Cost to  
the sum of \$64.10 as of March 1<sup>st</sup> 1896.



Having now made a report of  
all the liens I have been able  
to find against the defendants in  
this Cause, this report is respectfully  
Submitted.

Feb 17<sup>th</sup> 1896. Henry C. Joslyn  
Special Commissioner

W. C. Smith, Foreman  
P. S. 3 In Charge  
A. B. & L. O. Lewis Sept

Louis Report  
Filed Feb 18<sup>th</sup> 1896  
A. B. Munsey Clerk

Commissioner for 2.50  
Constable 1.50



Virginia: Lee County to-wit-  
W.C. Anytho for &c

vs

J. In. Chey

A.B. & L. O. Lewis

To the Hon. W.D. Miller, Judge of said Court-  
Your undersigned, Special Commissioner  
here leave to Report that M. H. Ely the purchaser  
has settled with the parties interested in this  
suit all the debts, interest and costs  
(See receipts and assignments here  
filed marked from 1 to 10 inclusive)  
except the sum of Twenty dollars and  
eighty cents. The purchase money  
having been fully paid, your Commissioner  
has made and executed a deed to him  
for the land named in the cause, and  
here file same marked "A" as part  
of this Report.

Respectfully Submitted,  
Wm. A. Orr, Jr.,  
Special Commissioner.



W. L. Dwyer & Co

vs J. R. Pank-

A. B. & L. O. Lewis

Filed Nov 4<sup>th</sup> 1897

A. B. Munsey Clerk



1 Virginia Lee County to Wit  
2 to William Smawwood constable of said County  
3 I hereby command you to summon A. B. Louis and  
4 L. O. Louis if to be found in your district to  
5 appear at C. C. Blankenship office in the said  
6 County on the 11 day of March at two o'clock 1893  
7 before me or such other justice of the said County  
8 as may then be there to try this Warrent to answer  
9 the complaint of W. C. Smith who Warrents for  
10 the benefit of B. H. Ringcade upon a claim for  
11 money for the sum of \$40.00 dollars due by note  
12 and there make return of this Warrent given  
13 under my hand this 8 day of March 1893  
14 C. C. Blankenship J. P.  
15

16 W. C. Smith for the Benefit of B. H. Ringcade Plaintiff  
17  
18 A. B. Louis and L. O. Louis } in debt  
19  
20 11 day of March 1893 at C. C. Blankenship office  
21 judgment that the plaintiff recover of the defendants  
22 \$40.00 dollars with interest from the 1 day of January 1893  
23 till paid \$3.<sup>10</sup>/<sub>100</sub> for his costs  
24 Lee County to Wit C. C. Blankenship J. P.  
25 William Smawwood constable of the said County  
26 I command you in the name of the commonwealth of  
27 Virginia that of the goods and chattels of A. B. Louis and  
28 L. O. Louis in your district you cause to be made the sum of  
29 \$40.00 dollars with interest thereon from the 1 day of Jan  
30 1893 till paid which W. C. Smith has recovered before me  
31 in a Warrent in debt and also the sum of \$3.<sup>12</sup>/<sub>100</sub> dollars  
32 which were adjudged to the said W. C. Smith for costs in  
prosecuting his said Warrent given under my hand  
this 11 day of March 1893  
C. C. Blankenship J. P.



"B"

W. C. Smith  
B. H. Ringcade

A. B. Louis  
L. O. Louis

executed by combining  
the said A. B. Louis  
and L. O. Louis to  
appear at Col. Blankenship  
office at two o'clock  
on the day of March 1893  
W. Smallwood & Co

Lined on one side of  
Black Smith tools this  
9 day of April 1893

Fine & Docketed  
May 31 " 1893.

J. R. Gibson & Co

godson not executed no party  
found this May 22 93 W. Smallwood & Co



W. C. Smith for & c Plff's } In Chancery  
 A. B. & L. O. Lewis Defts }  
 Statement of Liens reported  
 by H. C. Jorlyn Spl Commr.

---

A. Judgment in favor of		
Peter F. Chance for	53.09	
Interest from Feb 4 <sup>th</sup> 1894. to Mch 1 <sup>st</sup> 1896.	6.60	
Costs of Suit	8.06	67.75

---

2

A. Judgment in favor of		
M. C. Ely for the sum of	50.00	
Interest from Apr 22 <sup>d</sup> 1894. to Mch 1 <sup>st</sup> 1896.	5.54	
Costs of Suit	8.56	64.10

Feb 17<sup>th</sup> 1896.

H. C. Jorlyn  
 Special Commissioner,



W. C. Smith for &c  
V. S. 3<sup>rd</sup> Chancery  
A. B. & L. O. Lewis

---

Statement of  
additional liens

---

Filed Feb'y the 18<sup>th</sup> 1896  
A. B. Munsey Clerk



# VIRGINIA--LEE COUNTY, TO-WIT:

TO W. P. Sprinkle Constable of said County:

I HEREBY COMMAND YOU TO SUMMON L. O. Lewis

If to be found in your District to appear at C. C. Blankenship in said county, on the 19<sup>th</sup> day of May 1894 before me or such other Justice of the said County, as may be thereto

try this warrant, to answer complaint of D. A. Beam for

Geo. Shelburn

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$18.65 due by Note, and then and there make return of this warrant,

Given under my hand the 13<sup>th</sup> day of April 1894 C. C. Blankenship J. P.

D. A. Beam  
Against  
L. O. Lewis and John Lewis } On the 17 day of May 1894  
(In debt.)  
At C. C. Blankenship in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$18.65, with interest thereon from the 1 day of Jan 1894, till paid, and \$1.50 for costs.

C. C. Blankenship, J. P.

VIRGINIA--Lee County, To-wit: To W. P. Sprinkel Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of L. O. Lewis and John Lewis

in your county, you cause to be made the sum of \$18.65 with interest thereon from the 1 day of Jan 1894 till paid, which D. A. Beam

has recovered before me in a warrant in debt, and also the sum of \$1.50 which were adjudged to the said D. A. Beam

for costs in prosecuting said warrant.

Given under my hand the 17 day of May 1894

C. C. Blankenship J. P.



The within Judgment & Execution are  
hereby reserved for sixty days from  
this date. This Sept. 19<sup>th</sup> 1894.

W. C. G. G. G. G. G.

Recd.

S. A. Beam for  
Warrant  
L. O. Lewis &  
John H. Lewis

Executed this on  
L. O. Lewis & John  
Lewis, May 14<sup>th</sup> 1894  
W. P. Sprinkle C. L. C.

Executed by buying on  
one olympia clock the  
property of L. O. Lewis  
& John H. Lewis  
June 13<sup>th</sup> 1894

W. P. Sprinkle C. L. C.  
The above clock sold for \$5.00  
July 16<sup>th</sup> 1894. and no more  
property found.  
W. P. Sprinkle C. L. C.

Noted in Judgment  
Lien Docket Clear  
12<sup>th</sup> 1894  
S. V. F. Richmond  
Clear

July 23<sup>rd</sup> 1894 paid C. L. C. Blackenship cost \$5.00



Know all Men by these Presents, That we

*M. A. Orr and M. G. Ely.*

are held and firmly bound unto the Commonwealth of Virginia, in the sum of *Three Hundred*

dollars, to payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of the United States.

Sealed with our seals, and dated this *15<sup>th</sup>* day of *June* one thousand eight hundred and *ninety five*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound *M. A. Orr* shall faithfully perform the duties of *Cour* office or trust, as *Cour*

under a decree of the Circuit Court of the County of Lee, pronounced on the *13<sup>th</sup>* day of *June*, 189*6*, in the suit therein depending under the name and style of *W. L. Smith force vs A. B. Lewis et al*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

*A Copy Teste*

*A. B. Munsey Clerk*

*M. A. Orr*

[SEAL.]

*M. G. Ely*

[SEAL.]

[SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day

*M. G. Ely*

surety on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court of the County of Lee, that *his* estate after the payment of all *his* just debts, and those for which *he* bound as security for others, and expect to have to pay *is* worth the sum of *Three hundred*

dollars.

Given under my hand this

*15<sup>th</sup>*

day of

*June*

189*5*

Teste:

*A. B. Munsey*

Clerk



W to Smith force

vs

A B Lewis et als  
copy of  
to {

COMMISSIONER  
BOND.

Commonwealth.



$$\begin{array}{r}
 13.70 \\
 \underline{95.98} \\
 1370 \\
 \underline{14.65} \\
 \$53.32 \\
 31992 \\
 \underline{5332} \\
 56.52
 \end{array}$$

$$\begin{array}{r}
 161.11 \\
 \underline{.86} \\
 9.66.66 \\
 161.11 \\
 \underline{170.77} \\
 70.77 \\
 \underline{1341.54}
 \end{array}$$

$$\begin{array}{r}
 67.75 \\
 \underline{3} \\
 20325 \\
 \underline{67.75} \\
 69.78
 \end{array}$$

$$\begin{array}{r}
 64.10 \\
 \underline{19238} \\
 6410 \\
 \underline{6602}
 \end{array}$$

$$\begin{array}{r}
 81.57 \\
 \underline{5.70} \\
 81.57 \\
 \underline{14.65} \\
 17.92 \\
 \underline{35.80} \\
 162.64 \\
 56.52 - S-F, \\
 69.78 - R\&G. \\
 66.02 - m.4.6
 \end{array}$$

$$\begin{array}{r}
 355.06 \\
 \underline{341.54} \\
 13.52 \\
 \underline{6.76} \\
 6.76
 \end{array}$$

$$\begin{array}{r}
 69.78 \\
 \underline{6.76} \\
 63.02
 \end{array}$$



To A.B. Ed L. O. Lewis,

You will take notice that on the 12<sup>th</sup>. day  
of Feb. 1896 at the town of Joesville Va.  
I will proceed to execute the decree entered  
in the Chancery cause of W. C. Smith for  
etc. vs. A. B. Ed L. O. Lewis in the Circuit Court  
of Lee County on the 12<sup>th</sup>. day of Nov. 1895.  
all parties interested will attend with such  
evidence as will enable me to comply with the  
said order of Court, This Feb. 6<sup>th</sup> 1896.

H. C. Joslyn  
Special Commissioner



(Not legal service)

W. C. Smith for etc  
vs. Notice.  
A. B. Ed & A. Lewis

---

Executed by de-  
livering a true  
Copy of the within  
notice to <sup>A. B. Ed</sup> L. O.  
Lewis. This 6<sup>th</sup>  
day of Feb, 1896.

W. C. Smith C.B.C.  
Yegol services accepted  
for B. F. Kincaid  
W. C. Edgely

cost to be .50 cts.



To L. A. Lewis:

<sup>notified</sup>  
You are hereby notified that on the first day of  
November term of the Circuit Court of Lee Co. Va.  
1896. I will move said court to dissolve an  
injunction lately granted in your favor  
against J. M. Weston D. P. and myself. For reasons  
to be assigned at the hearing, I will also ask for  
Judgment against you for costs and damages—  
This Oct. 24<sup>th</sup> 1896—

Respectfully,

M. G. E. G. —



Virginia Lee Co. v. Smith -

J. C. D. Smith a Justice of the Peace in and for the County and State of Virginia do certify that M. C. Smith personally appeared before me and made oath that he on the 26th day of Oct. 1896 delivered a true copy of the within notice to L. Q. Lewis, as under my hand. This Oct. 26th 1896 -

J. C. D. Smith J. P.

M. C. Lee v. Smith -  
also { notice to disburse  
also { disbursement  
L. Q. Lewis,



# The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON

*A. B. Lewis*  
*and L. O. Lewis*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in .....

*August* next, being rule day to answer a bill in Chancery exhibited in our said Court against

*them* by *W. C. Smith* for  
*B. F. Lincoln*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *20<sup>th</sup>* day of *June* 18*93* in the 11*7* year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste.....Clerk.



Ely

W. C. Smith & Co

Spa in  
Chey

A. B. Lewis & Co

---

Lo 1st Aug. Rules 1895.

---

Executed by delivering  
an office copy of  
the within summons  
to A. B. Lewis & Co.

Lewis this Aug 2-1893.

J. M. Weston Deputy  
for C. E. Flannery

S. L. C.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon

*M G Ely and John M  
Weston Deputy Sheriff*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the *1<sup>st</sup>* Monday in *November*, 189*6*, to answer a  
bill in Chancery, exhibited against *them* in our said court by

*L O Lewis*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-  
house, the *21<sup>st</sup>* day of *October*, 189*6*, and in the  
*12<sup>th</sup>* year of the Commonwealth.

*A B Munsey* Clerk.



injunction granted to be effective till after the 7th day of April 1896. After which date it shall stand dismissed unless the plaintiff shall proceed to have the same enlarged as provided by Statute act 1895-6 page 728-9, but this temporary injunction not to be effective till the plaintiff executes bonds in the penalty of \$10000, conditioned as required by law.

A copy

Teste AB Munsey Clerk

L. O. Lewis  
SUPENA.  
vs. { IN CHANCERY  
M. G. Ely et al  
Orr & Blankenship p. q.

To 1st Nov. Rules.

CIRCUIT COURT.

Executed Oct. 21/1896  
by delivering a true  
copy of the within  
summons to M. G. Ely  
& J. M. Weston.

Jas. M. Weston  
for H. P. Weston S. G. C.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon *M. G. Ely and John M*  
*Weston Deputy Sheriff*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the *1st* Monday in *November*, 189*6*, to answer a  
bill in Chancery, exhibited against *them* in our said court by  
*L. O. Lewis*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-  
house, the *21st* day of *October*, 189*6*, and in the  
*12th* year of the Commonwealth.

*A Copy*

*A B Munsey* Clerk.

*Teste A B Munsey Clerk*



Infjunction granted to be effective till after the 7th day of  
Nov 1896. After which date it shall stand dissolved un-  
less the plff. shall proceed to have the same enlarged as  
provided by Statute Acts 1895-6 Page 728-9 but this  
temporary infjunction not to be effective till the plff  
execute bond in the penalty of \$100 or Conditioned as re-  
quired by law A copy Este AB Munsey Clerk

SUPPENA.  
vs. {  
IN CHANCERY.

p. q.

To Rules.

CIRCUIT COURT.



To A. B. Lewis, L. O. Lewis And M. G. Ely.

You are hereby notified that on the 12<sup>th</sup> day of October/1895 at the town of Gladeville, Wise County Virginia, I will move Judge W. J. Miller ~~in vacation~~ at his office, of the Circuit Court of Lee County, to confirm the report of sale of the lands of A. B. Lewis and L. O. Lewis made by Commissioner W. A. Orr on the 19<sup>th</sup> day of August 1895; pursuant to a decree rendered in the Chancery cause of W. C. Smith for etc. vs. A. B. Lewis et al. at which sale M. G. Ely was the purchaser, and said report of sale having been filed the length of time required by law. This sept. 17<sup>th</sup> 1895 -

Respectfully,

W. C. Smith for the  
benefit of B. H. Kincaid  
By counsel,



W. C. Smith for etc  
vs & & Notice,  
A. B. Lewis et als.

---

Executed by delivering  
a Copy of the within  
Notice to A. B. Lewis and  
J. O. Lewis, this Sept  
27-1895. J. M. Weston  
W. S. for W. P. Weston  
S. L. C

I accept legal service of  
the within notice this  
the 20th day of Oct. 1895  
M. G. Ely



To L.O.Lewis and John H.Lewis:

You will take notice that unless a certain judgment obtained by me against you and each of you before C.C.Blankenship, a Justice of the Peace, in and for Lee county, Va., on the 19th day of May, 1894, for the sum of \$18.65 with interest thereon from the 1st day of January, 1894, until paid, and one dollar and fifty cents costs, is paid within sixty days from the date of the service of this notice on you, suit will be instituted by me in the Circuit Court of Lee county, <sup>Va.</sup> to enforce the lien of said judgment against your real estate.

This December 12th, 1894.

D.A.Beam,

By

Orv, Blankenship & Ewing,

his counsel.



D. A. Beaman

vs. Notice.

L. O. Lewis, et al

Orn, Clerkship & Ewing, P. J.

Executed by delivering  
a copy of the within  
Notice to L. O. Lewis and  
by delivering a copy  
as above stated of the  
within Notice to A. B. Lewis  
for John H. Lewis. he the  
said A. B. Lewis being the  
father of John H. Lewis  
and a member of his family  
and at his usual place of  
abode and he the said John  
H. Lewis being absent from  
his usual place of abode and  
further executed by explaining  
to A. B. Lewis as afore said the  
purports and purposes of the within  
notice this Jan - 24 - 1878.  
J. M. Weston Sec. for C. E. Flanary, S. L. C



W.C. Smith for the

no. 1 In Chancery

A.B. Lewis & Co.